

**\*\*FEES AND TAXES ARE DUE ON THE DAY OF YOUR APPOINTMENT\*\***

You **MUST** return this application to the Probate Division **BEFORE** setting your appointment. Please **INCLUDE** a copy of the **WILL** and **DEATH CERTIFICATE**. You may fax (757-382-3046), email ([CCCProbate@CityofChesapeake.net](mailto:CCCProbate@CityofChesapeake.net)) or mail (City of Chesapeake, Circuit Court Clerk's Office, Probate Division, 307 Albemarle Drive, Suite 300A, Chesapeake, VA 23322) the information.

**Once the Information is reviewed, the Probate Office will contact you within 24 to 48 hours to set an appointment**

**APPLICANT INFORMATION**

Full Name: J.S. Burton, P.L.C.  
 Address: 477 Viking Dr. Suite 410  
 City/State/Zip: Virginia Beach, VA 23452  
 Daytime Telephone Number: (757)301-9500  
 Relationship to the Decedent: Legal representation for family  
 Your email address: jbarton@jsburton.org

**DECEDENT INFORMATION**

Full Name: Nanette Elizaga Cristobal  
 Residential Address of Decedent: 568 Hunters Bridge Drive, Chesapeake, VA 23320  
 Date of birth: 09/04/1956 Date of Death: 08/10/2019 Marital Status: Married

Will: Yes ☐ No ☒ Dated: \_\_\_\_\_ # of Pages: \_\_\_\_\_

**ASSETS OF THE DECEDENT**

List assets in the decedents **name only**. (Ex: bank accounts, stocks, cars, etc.)  
 Do not list accounts/policies with "survivorship", "payable on death", or "beneficiary".

Description	Estimated Value
1. <u>Pending lawsuit settlement</u>	<u>10,000.00</u>
2. _____	_____
3. _____	_____
4. _____	_____

**REAL ESTATE**

Provide all the addresses of real estate in the decedent's name, as well as the City's Assessed Value

1. N/A: jointly held YES ☐ NO ☐  
 2. \_\_\_\_\_: jointly held YES ☐ NO ☐

**HEIRS AT LAW**

Heirs at law are next of kin (spouse, children birthed/fathered, parents, siblings, etc) and do not necessarily inherit under the will. Law requires the full name, ages and complete addresses of the heirs. Attach additional pages if more space is needed.

Name	Age	Relationship	Address
1. <u>Minandro V. Cristobal</u>	<u>69</u>	<u>Spouse</u>	<u>1321 Chestnut Ave. Chesapeake, VA</u>
2. <u>Menandro C. Cristobal</u>	<u>36</u>	<u>Son</u>	<u>1321 Chestnut Ave. Chesapeake, VA</u>
3. <u>Gregorio G. Cristobal</u>	<u>32</u>	<u>Son</u>	<u>1321 Chestnut Ave. Chesapeake, VA</u>
4. _____	_____	_____	_____
5. _____	_____	_____	_____

**FOR OFFICE USE ONLY Appointment: Day/Date/Time:**

Will With/Without Surety: \_\_\_\_\_ Will Self-Proving: \_\_\_\_\_  
 Action/Notes: \_\_\_\_\_

**PROBATE INFORMATION FORM**

Court File No.: .....

COMMONWEALTH OF VIRGINIA

(For appointment of executor, administrator, curator, and/or probate of a will without qualification.)

Circuit Court of Chesapeake1. Decedent's full name Nanette Elizaga Cristobal ☒ Married ☐ Single ☐ Divorced ☐ Widowed ☐ Unknown2. Decedent's Residence address at death (street, city, state) 568 Hunters Bridge Drive, Chesapeake, VA 233203. Date of birth 9/4/1956 Date and place of death 08/10/2019 568 Hunters Bridge Drive, Chesapeake, VA 233204. Proof of death: ☒ Death certificate ☐ Obituary ☐ Other (specify) .....5. The decedent died: ☐ with a will ☒ without a will. Date of will (and codicils) .....6. Requested action: appointment of ☒ administrator ☐ executor ☐ curator ☐ probate of will7. Name of person making request J.S. Burton, P.L.C.8. Mailing address 477 Viking Dr. Suite 410, Virginia Beach, VA 234529. Basis for request: ☐ executor named in will ☐ sole distributee ☐ other distributee ☐ creditor☒ other Legal representation for family.10. Name of person seeking appointment J.S. Burton, P.L.C.11. Day telephone (757) 301-9500 Night telephone .....12. Residence address 477 Viking Dr. Suite 410, Virginia Beach, VA 23452

13. Mailing address, if different .....

14. Name of any additional person seeking appointment .....

15. Day telephone ..... Night telephone .....

16. Residence address .....

17. Mailing address, if different .....

18. Name of assisting attorney, if any John S. Burton, Esq. Telephone (757) 301-950019. Attorney's mailing address 477 Viking Dr. Suite 410, Virginia Beach, VA 2345220. The total value of the decedent's real and personal estate ☐ did ☒ did not exceed \$15,000 on the date of death.

I hereby certify that to the best of my knowledge and belief this is an accurate statement of facts, and I acknowledge a continuing legal duty to report any later discovered errors or inconsistencies to the Clerk of Court.

J.S. Burton, P.L.C.

DATE

PRINTED NAME OF REQUESTING PERSON

SIGNATURE OF REQUESTING PERSON

**INFORMATION TO BE FURNISHED BY EACH PERSON SEEKING APPOINTMENT**21. Are you a person under a disability? ☐ yes ☒ no. (See Instructions for explanation.)22. Have you ever been convicted of a felony? ☐ yes ☒ no.23. Have you ever filed for bankruptcy? ☐ yes ☒ no.24. Are you now, or have you ever been, an attorney at law in Virginia or elsewhere? ☒ yes ☐ no. (If yes, and you do not now possess an active license from the Virginia State Bar, explain the details on a separate sheet of paper.)

I (we) hereby certify that to the best of my (our) knowledge and belief this is an accurate statement of facts, and I (we) acknowledge a continuing duty to report any later discovered errors or inconsistencies to the Clerk of Court.

J.S. Burton, P.L.C.

DATE

PRINTED NAME OF REQUESTING PERSON

SIGNATURE OF REQUESTING PERSON

DATE

PRINTED NAME OF REQUESTING PERSON

SIGNATURE OF REQUESTING PERSON

**LIST OF HEIRS**

COMMONWEALTH OF VIRGINIA VA. CODE § 64.2-509

Court File No. \_\_\_\_\_

Chesapeake

Circuit Court

Nanette Elizaga Cristobal

08/10/2019

NAME OF DECEDENT

DATE OF DEATH

I/We, the undersigned, hereby state under oath that the following are all of the heirs of the Decedent:

NAMES OF HEIRS	ADDRESSES	RELATIONSHIP	AGE
Minandro Vicente Cristobal	1321 Chestnut Ave. Chesapeake, VA 23325	Spouse	69
Gregorio Gringo Elizaga Cristobal	1321 Chestnut Ave. Chesapeake, VA 23325	Child	32
Menandro Chester Elizaga Cristobal, Jr.	1321 Chestnut Ave. Chesapeake, VA 23325	Child	36

☐ This LIST OF HEIRS is filed in addition to the LIST OF HEIRS previously filed with this Court on \_\_\_\_\_, 20\_\_\_\_.

DATE

I/we am/are (please check one):

☐ Proponent(s) of the will (no qualification)☐ Personal representative(s) of the decedent's estate☐ Heir-at-law of intestate decedent (no qualification within 30 days following death)

Given under my/our hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

DATE

J.S. Burton, P.L.C.

PRINTED NAME OF SUBSCRIBER

SIGNATURE OF SUBSCRIBER

PRINTED NAME OF SUBSCRIBER

SIGNATURE OF SUBSCRIBER

PRINTED NAME OF SUBSCRIBER

SIGNATURE OF SUBSCRIBER

State/Commonwealth of \_\_\_\_\_ ☐ City ☐ County of \_\_\_\_\_ to wit:

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

by \_\_\_\_\_, NAME(S)

☐ CLERK ☐ DEPUTY CLERK ☐ NOTARY PUBLIC

My commission expires \_\_\_\_\_

Registration No. \_\_\_\_\_

VIRGINIA: In the Clerk's Office of the \_\_\_\_\_ Circuit Court this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

the foregoing LIST OF HEIRS was filed and admitted to record.

Teste: \_\_\_\_\_

CLERK

by: \_\_\_\_\_, Deputy Clerk

**PROBATE TAX RETURN (CONFIDENTIAL)**

Court File No. ....

COMMONWEALTH OF VIRGINIA VA. CODE §§ 58.1-1713, -1714

*This return must be filed with the Clerk of Circuit Court at the time a will is offered for probate or the grant of administration is sought in such court when the estate exceeds fifteen thousand dollars (\$15,000) in value.*

Circuit Court of ..... Chesapeake

Decedent's name ..... Nanette Elizaga Cristobal

Residence address at death (street, city, state)

568 Hunters Bridge Drive  
Chesapeake, VA 23320

Date of birth ..... September 4, 1956 ..... Date and place of death ..... 08/10/2019 568 Hunters Bridge Rd., Chesapeake, VA 23320

**VALUE OF DECEDENT'S PROBATE ESTATE**

(a) Personal Property \$ ..... 10,000.00

(b) Real Property Located in Virginia \$ ..... 0.00

TOTAL VALUE OF DECEDENT'S PROBATE ESTATE \$ ..... 10,000.00

I (we), the undersigned, declare under penalty of law that I (we) have examined this Return and to the best of my (our) belief it is a true, correct, and complete Return.

DATE .....

SIGNATURE OF PERSON OFFERING WILL FOR PROBATE OR SEEKING GRANT OF ADMINISTRATION

Mailing Address: ..... 477 Viking Dr. Suite 410, Virginia Beach, VA 23452

DATE .....

SIGNATURE OF ADDITIONAL PERSON SEEKING GRANT OF ADMINISTRATION

Mailing Address: .....

**INSTRUCTIONS**

**GENERAL.** The probate tax is not an inheritance tax or an estate tax. It is a tax imposed on the probate of every will or grant of administration on every estate that exceeds fifteen thousand dollars (\$15,000). The state probate tax rate is 10¢ for every \$100, or fraction thereof, of the value of the decedent's estate. No one is permitted to qualify as executor or administrator until this tax is paid. Cities and counties are permitted to impose a probate tax in an amount equal to one-third of the state tax.

**WHAT'S INCLUDED.** The tax is imposed on the decedent's probate estate. Thus, do not include (i) any property that the decedent owned with another with the right of survivorship, (ii) life insurance unless it is payable to the decedent's estate, (iii) real estate transferred by a transfer on death deed, or (iv) any other property passing by contract or beneficiary designation from the decedent to another person. In addition, you should not include any of the decedent's real estate located in another state.

**VALUATION METHOD.** Because of the difficulty in determining exact values at the time of probate or qualification, the Clerk will accept a reasonable estimate of the value of the decedent's personal property. You should try to be as accurate as possible when making your estimate in order to eliminate the need to return to the Clerk's Office and pay additional tax and/or increase your bond at a later time. If you do not know the actual value of the decedent's real property, you may use its assessed value for local real estate tax purposes.

**VALUATION DATE.** All property is to be valued as of the date of the decedent's death.